IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T. & I. J.

NOTICE OF MOTION NO. 2541 OF 2004

IN

TEST. PETITION NO. 407 OF 2004

Vijay Narayan Gandhi .... Petitioner.

vs.

Anil Narayan Gandhi & Anr. .. Respondents.

None for the petitioner.

Mrs. M. Gaikwad with K.V. Tembe for R. No.1.

Ms. Sommya Shrikrishna for R. No. 2.

CORAM : S.U. KAMDAR, J.

DATE : 10th August, 2005.

P.C.

. The advocate appearing for the 2nd defendant Madhav H. Kale who is one of the executors states that he is not inclined to continue as an executor nor has he at any point of time given his consent to be such an executor. He also states that no property of the deceased has come to his hands and as such he says that his name to be deleted from the records. In view of the aforesaid statement, the name of the 2nd defendant is deleted from the

proceedings. In so far as the properties in Schedule I Exhibit C is concerned, the learned advocate appearing for the 1st respondent states that till the hearing and final disposal of the petition he will not alienate, encumber, create any third party right or induct any third party in possession of the property. In view of the aforesaid statement, no further orders are necessary. It is made clear that if there are any other assets in the hands of the petitioner, they will also be required to maintain status quo as mentioned hereinbefore. Motion disposed of. No order as to costs.